

Verkler discloses an architecture for use with a server on a communication medium. The architecture comprises a client and an agent. The client generates requests for information from the server. The agent is coupled to the client through a mobile communication link. The agent sends the requests to the server on behalf of and independent of the client and receives information from the server in response to the requests. The agent sends the information to the client on behalf of and independent of the server. In this manner, the client and the agent operate asynchronously (Column 2, lines 22-32). In column 3, lines 46-51, Verkler describes, with reference to Fig. 1, that client 101 may prompt agent 102 to perform one or more tasks on its behalf, which agent 102 may perform while disconnected from client 101. In such a case, once client 101 is in communication with agent 102 again, agent 102 communicates with client 101 to indicate completion of the requested tasks. More particularly, Verkler describes in column 4, lines 40-55, that, if client 101 is presently in communication with agent 102, agent 102 delivers the information to client 101. However, if client 101 is not presently in communication with agent 102, agent 102 waits to send the data until client 101 is again connected to agent 102. When this occurs, agent 102 stores the data in a queue until agent 102 determines that client 101 is again connected to agent 102. This determination may be made by polling client 101 repeatedly after a predetermined period of time to determine if client 101 is within range. In another embodiment, client 101 may signal agent 102 when it determines that it has been out of communication range and is now back in range. In an alternate embodiment, network 103 may inform agent 102 or client 101 that client 101 is in communication with the system. Verkler further describes in column 6, lines 25-37, and with reference to Fig. 2, that message gateway 204 tracks all incoming and outgoing traffic from client 201 and attempts to locate client 201 when data is to be sent to client 201. If unable to do so, message gateway 204 waits until client 201 sends it a message indicating that client 201 is on-line or is polled and a determination is made that client 201 is ready to receive communications. Second, message gateway 204 provides system message queuing and management. The queuing of message gateway 204 allows for storage of messages when client 201 cannot be located and allows stored messages to be forwarded when client 201 is in communication with message gateway 204.

It is respectfully submitted that Verkler neither teaches nor suggests determining that the server has information to be transmitted to a client station without the client station initiating the determination; and transmitting a message from the server to the client station to indicate that the server has information for the client station, as is presently claimed. Instead, Verkler teaches that agent 102 delivers the information to client 101 if client 101 is presently in communication with agent 102 or waits to send the data until client 101 is again connected to agent 102 (column 4, lines 40-45). Therefore, Verkler teaches away from the presently claimed invention.

Eggleston discloses a method and apparatus for communicating summarized data. With reference to Fig. 3, Eggleston describes a VSM receiving registration from a client, establishing a virtual session between the client and the VSM, and detecting a time out to logoff the client. Eggleston also describes in columns 7-10 evaluating a message in terms of priority, quantity, etc. It is respectfully submitted that the description of Eggleston does not make up the deficiency of Verkler in not teaching or suggesting any element related to determining that the server has information to be transmitted to a client station without the client station initiating the determination and transmitting a message from the server to the client station to indicate that the server has information for the client station. Further, the inclusion of these elements will destroy the teaching of Verkler. Accordingly, combining the message evaluation taught by Eggleston with the teaching of Verkler, as suggested by the Examiner in the Office Action, does not teach or suggest the above elements.

Applicants' claim 1 calls for, among other things, determining that the server has information to be transmitted to a client station without the client station initiating the determination; and transmitting a message from the server to the client station to indicate that the server has information for the client station. As respectfully pointed out above, Verkler and Eggleston do not teach or suggest, either singly or in combination, these elements of claim 1. Because at least these elements of claim 1 are not taught or suggested by Verkler and Eggleston, either singly or in combination, claim 1 is allowable over Verkler in view of Eggleston.

Applicants' claims 2-8, 24, and 25 depend from claim 1 and are believed to be allowable over the relied on references of Verkler and Eggleston for at least the same reasons as claim 1. Claims 2 and 3 further set out establishing a connection between the client station and the server in response to a received message. Claims 4 and 5 further set out that the message indicates the type of the information to be transmitted to the client station. Claim 5 further sets out evaluating a received message at the client station to determine whether the information is of a selected type. Claim 6 further sets out that the message indicates the quantity of information to be transmitted to the client station. Claim 24 and 25 further set out that the message indicates the type or quantity, or both, of the information to be delivered to the client station. Claims 25 further sets out evaluating the message at the client station to determine whether the information is of a selected type or quantity; or both; and establishing a connection between the client station and the server in response to a received message if the information is of a selected type or quantity, or both. At least these elements of claims 2-6, 24, and 25 are neither taught nor suggested in the relied on references of Verkler and Eggleston, either singly or in combination, further precluding the obviousness of claims 2-6, 24, and 25.

Applicants' claim 10 calls for, among other things, evaluating the information at the server without the client station initiating the evaluation; and transmitting a message from the server to the client station if the information is of a selected type and quantity. As respectfully pointed out with reference to claim 1, at least these elements of claim 10 are not taught or suggested in the relied on references of Verkler and Eggleston, either singly or in combination. Therefore, claim 10 is allowable over Verkler in view of Eggleston.

Claims 11 and 12 depend from claim 10 and are believed to be allowable over the relied on references of Verkler and Eggleston for at least the same reasons as claim 10. Claim 11 further sets out evaluating a received message at the client station to determine whether the information is of a selected type; and establishing a connection between the client station and the server in response to a received message if the information is of a selected type. Claim 12 further sets out evaluating a received message at the client station to determine whether the information is of a selected quantity; and establishing a connection between the client station

and the server in response to a received message if the information is of a selected quantity. At least these elements of claims 11 and 12 are not taught or suggested in the relied on references of Verkler and Eggleston, either singly or in combination, further precluding the obviousness of claims 11 and 12.

Applicants' claim 16 claims a machine readable medium having stored thereon a program and calls for, among other things, the program to perform evaluating a received message to determine whether the server has a selected type and quantity of information waiting for the client station, the received message being prepared by the server without the client station first initiating a connection with the server; and generating a signal containing a telephonic address of a communication transceiver associated with the server and instructions for establishing a log-on connection with the server if the server has a selected type and quantity of information waiting for the client station. As respectfully pointed out with reference to claims 1 and 25, at least these elements of claim 16 are not taught or suggested in the relied on references of Verkler and Eggleston, either singly or in combination. Therefore, Verkler in view of Eggleston does not make claim 16 obvious under 35 U.S.C. §103.

Claims 17 and 18 depend from claim 16 and are believed to be allowable over the relied on references of Verkler and Eggleston for at least the same reasons as claim 16.

Applicants' claim 19 claims a mobile-based client-server system and calls for, among other things, that the server is further configured to transmit a message to the client station via the respective server and client station transceivers upon receiving or generating a selected type and quantity of information to be delivered to the client station without the client station initiating transmission of the message by establishing a connection with the server. As respectfully pointed out with reference to claims 1, 4, and 6, at least these elements of claim 19 are not taught or suggested in the relied on references of Verkler and Eggleston, either singly or in combination. Therefore, Verkler in view of Eggleston does not make claim 16 obvious under 35 U.S.C. §103.

Claims 20-23 depend from claim 19 and are believed to be allowable over the relied on references of Verkler and Eggleston for at least the same reasons as claim 19. Claims 22 and 23 further set out that the client station is configured to evaluate a received message from

the server to determine whether the server has a selected type and quantity of information waiting for the client station. At least these elements of claims 22 and 23 are not taught or suggested in the relied on references of Verkler and Eggleston, either singly or in combination, further precluding the obviousness of claims 22 and 23.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that applicants' claims 1-8, 10-12, and 16-25 are allowable in view of the relied on references and the subject application is now in condition for allowance. Such Action is earnestly and respectfully requested.

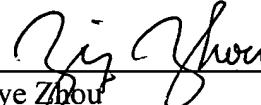
Should the Examiner have any questions or comments, he is invited to call the undersigned representative of Applicants at (408) 993-1555.

Respectfully submitted,

LYON & LYON LLP
Attorneys for Applicant

Date: March 6, 2001

By:


Ziye Zhou
Reg. No. 41,423

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(408) 993-1555